

FEB. 19. 2002 2:38PM

TTC PALO ALTO

NO. 8868 P. 7

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PATENT
Attorney Docket No.: 018547034800
Client Reference No.: 3079

Assistant Commissioner for Patents
Box: Issue Fee
Washington, D.C. 20231

On December 10, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David H. Mack et al

Application No.: 09/020,743

Filed: February 9, 1998

For: COMPUTER-AIDED
VISUALIZATION OF EXPRESSION
COMPARISON

Examiner: J. Siew

Art Unit: 1656

PETITION UNDER 37 CFR §1.48(a)(1)

Box Issue Fee
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The Assignee and Inventors of U.S. Patent Application Serial No.09/020,743, hereby request that Kurt Gish, David Balaban, Elina Khurgin, Josie Dai and Jim Snyder be added as inventors of this patent application. Please charge the \$130 fee specified in 37 C.F.R. 1.17(i) for filing this petition to the undersigned's Deposit Account No. 20-1430.

We also enclose with this petition the following papers that are required under 37 C.F.R. § 1.48(a): Statement of the existing inventor; declaration of actual inventors; and Statement of an assignee of interest. As indicated in the attached statements, the error arose without any deceptive intent. If there are any other fees due in connection with the filing of this

David H. Mack et al
Application No.: 09/020,743
Page 2

PATENT

petition, please charge the fees to our Deposit Account No. 20-1430. If there are any other fees due under 37 C.F.R. § 1.16 or 1.17 which are not enclosed, please charge those fees to our Deposit Account No. 20-1430. This Petition is submitted in duplicate.

By: J. Liebeschuetz
Joe Liebeschuetz
Reg. No. 37,505

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
JOL:pfh

PA 3188397 v1

Application Data Sheet**Application Information**

Application number:: 09/020,743
Filing Date:: 02/09/98
Application Type:: Regular
Subject Matter:: Utility
Suggested classification::
Suggested Group Art Unit::
CD-ROM or CD-R??:
Number of CD disks::
Number of copies of CDs::
Sequence Submission::
Computer Readable Form (CRF)?::
Number of copies of CRF::
Title:: COMPUTER-AIDED VISUALIZATION OF
EXPRESSION COMPARISON
Attorney Docket Number:: 018547-034800US
Request for Early Publication:: No
Request for Non-Publication:: No
Suggested Drawing Figure:: 1
Total Drawing Sheets:: 6
Small Entity?:: No
Latin name::
Variety denomination name::
Petition included?:: No
Petition Type::
Licensed US Govt. Agency::
Contract or Grant Numbers One::
Secrecy Order in Parent Appl.: No

Applicant Information

Applicant Authority Type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: David
Middle Name:: H.
Family Name:: Mack
Name Suffix::
City of Residence:: Menlo Park
State or Province of Residence:: CA
Country of Residence:: US
Street of Mailing Address:: 2076 Monterey Avenue
City of Mailing Address:: Menlo Park
State or Province of mailing address:: CA
Country of mailing address:: US
Postal or Zip Code of mailing address:: 94025

Applicant Authority Type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: Kurt
Middle Name::
Family Name:: Gish
Name Suffix::
City of Residence:: Sunnyvale
State or Province of Residence:: CA
Country of Residence:: US
Street of Mailing Address:: 953 Helen Avenue, Apt. 7
City of Mailing Address:: Sunnyvale
State or Province of mailing address:: CA

Country of mailing address:: US
Postal or Zip Code of mailing address:: 94086

Applicant Authority Type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: David
Middle Name::
Family Name:: Balaban
Name Suffix::
City of Residence:: San Jose
State or Province of Residence:: CA
Country of Residence:: US
Street of Mailing Address:: 7127 Glenview Drive
City of Mailing Address:: San Jose
State or Province of mailing address:: CA
Country of mailing address:: US
Postal or Zip Code of mailing address:: 95120

Applicant Authority Type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: Elina
Middle Name::
Family Name:: Khurgin
Name Suffix::
City of Residence:: Cupertino
State or Province of Residence:: CA
Country of Residence:: US

Street of Mailing Address:: 22999 Voss Avenue
City of Mailing Address:: Cupertino
State or Province of mailing address:: CA
Country of mailing address:: US
Postal or Zip Code of mailing address:: 95014

Applicant Authority Type:: Inventor
Primary Citizenship Country:: China
Status:: Full Capacity
Given Name:: Josie
Middle Name::
Family Name:: Dai
Name Suffix::
City of Residence:: San Jose
State or Province of Residence:: CA
Country of Residence:: USUS
Street of Mailing Address:: 4009 Higuera
City of Mailing Address:: San Jose
State or Province of mailing address:: CA
Country of mailing address:: US
Postal or Zip Code of mailing address:: 95148

Applicant Authority Type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: Jim
Middle Name::
Family Name:: Snyder
Name Suffix::

City of Residence:: Palo Alto
State or Province of Residence:: CA
Country of Residence:: US
Street of Mailing Address:: 321 Fulton Street
City of Mailing Address:: Palo Alto
State or Province of mailing address:: CA
Country of mailing address:: US
Postal or Zip Code of mailing address:: 94301

Correspondence Information

Correspondence Customer Number:: 20350

Representative Information

Representative Designation::	Representative Number::	Representative Name::
Primary	30,223	William M. Smith
Primary	37,505	Joe Liebeschuetz
Associate	44,419	Wei Zhou
Associate	31,395	Philip L. McGarrigle
Associate	32,483	Vernon A. Norviel

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
09/020,743	Non-Prov of Provisional	60/069,436	December 11, 1997

Assignee Information

Assignee Name:: Affymetrix, Inc.
Street of mailing address:: 3380 Central Expressway
City of mailing address:: Santa Clara

FEB. 19. 2002 2:40PM

TTC PALO ALTO

NO. 8868 P. 14

State or Province of mailing address:: CA

Country of mailing address:: US

Postal or Zip Code of mailing address:: 95051

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NO. 8868 P. 15

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Washington, D.C. 20231

Attorney Docket No.: 0184
Client Reference No.: 3079

PATENT

47034800

On December 10, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David H. Mack et al

Application No.: 09/020,743

Filed: February 9, 1998

For: COMPUTER-AIDED
VISUALIZATION OF EXPRESSION
COMPARISON

Examiner: J. Slew

Art Unit: 1656

STATEMENT OF DAVID MACK IN
SUPPORT OF PETITION TO CORRECT
INVENTORSHIP UNDER 37 C.F.R.
§ 1.48 (a)

Box Issue Fee
Assistant Commissioner for Patents
Washington, D.C. 20231

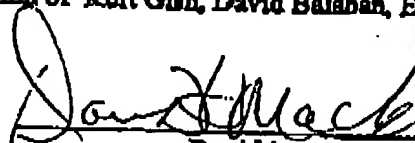
Sir:

I, David Mack, state:

1. I am a currently named inventor on the above captioned patent.

2. I have no disagreement with regard to the requested change in inventorship as set out in the accompanying Petition, namely the addition of Kurt Gish, David Balaban, Elna Khurgin, Josie Dai and Jim Snyder as inventors.

Date: 12/7/01


David Mack

David H. Mack et al
Application No.: 09/020,743
Page 2

PATENT

Customer No. 10350

TOWNSEND and TOWNSEND and CREW LLP
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JOL:pjh

PA 3188576 v1

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NO. 8868 P. 17

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Washington, D.C. 20231

Attorney Docket No.: 0185
Client Reference No.: 3079

PATENT
7034800

On December 10, 2001

TOWNSEND and TOWNSEND and CREW LLP

By _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David H. Mack et al

Application No.: 09/020,743

Filed: February 9, 1998

For: COMPUTER-AIDED
VISUALIZATION OF EXPRESSION
COMPARISON

Examiner: J. Slew

Art Unit: 1656

STATEMENT OF KURT GISH IN
SUPPORT OF PETITION TO CORRECT
INVENTORSHIP UNDER 37 C.F.R. § 1.18

Box Issue Fee
Assistant Commissioner for Patents
Washington, D.C. 20231

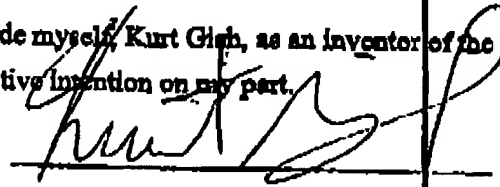
Sir:

I, Kurt Gish, state:

1. My address is #953 Helen Drive, Apt. # 7, Sunnyvale, California. My country of
residency and nationality is the United States.

2. The inventorship error of failing to include myself, Kurt Gish, as an inventor of the
above captioned patent occurred without any deceptive intention on my part.

Date: 12/7/2001



Kurt Gish

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NO. 8868 P. 18

David H. Mack et al
Application No.: 09/020,743
Page 2

PATENT

Customer No. 20350

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JOL:ph

PA 318394 v1

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NO. 8868 P. 19

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PATENT
Attorney Docket No.: 018547034800
Client Reference No.: 3079

On December 10, 2001

TOWNSEND and TOWNSEND and CREW LLP

By _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David H. Mack et al

Application No.: 09/020,743

Filed: February 9, 1998

For: COMPUTER-AIDED
VISUALIZATION OF EXPRESSION
COMPARISON

Examiner: J. Siew

Art Unit: 1656

STATEMENT OF DAVID BALABAN IN
SUPPORT OF PETITION TO CORRECT
INVENTORSHIP UNDER 37 C.F.R.
§ 1.48 (a)

Box Issue Fee
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, David Balaban, state:

1. My address is 7127 Glenview Drive, San Jose, California. My country of residency and nationality is the United States.

2. The inventorship error of failing to include myself, David Balaban, as an inventor of the above captioned patent occurred without any deceptive intention on my part.

Date: Dec 7, 2001

David Balaban
David Balaban

FEB. 19. 2002 2:41PM TTC PALO ALTO

NO. 8868 P. 20

David H. Mack et
Application No.: 09/020,743
Page 2

PATENT

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
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JOL:pjh

PA 318837 v1

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NO. 8868 P. 21

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Washington, D.C. 20231

On December 10, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: _____

PATENT
Attorney Docket No.: 018547034800
Client Reference No.: 3079

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David H. Mack et al

Application No.: 09/020,743

Filed: February 9, 1998

For: COMPUTER-AIDED
VISUALIZATION OF EXPRESSION
COMPARISON

Examiner: J. Siew

Art Unit: 1656

STATEMENT OF ELINA KHURGIN IN
SUPPORT OF PETITION TO CORRECT
INVENTORSHIP UNDER 37 C.F.R.
§ 1.48 (a)

Box Issue Fee

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

I, Elina Khurgin, state:

1. My address is 22999 Voss Avenue, Cupertino, California. My country of residency and nationality is the United States.

2. The inventorship error of failing to include myself, Elina Khurgin, as an inventor of the above captioned patent occurred without any deceptive intention on my part.

Date: 12/7/01

Elina Khurgin
Elina Khurgin

FEB. 19. 2002 - 2:42PM TTC PALO ALTO

NO. 8868 P. 22

|| David H. Mack et
Application No.: 097020,743
Page 2

PATENT |

Customer No. 20350

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Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
JOL:pjh

PA 3188390 v1

FEB. 19. 2002 11 2:42PM by that th TFC PALO ALTO ing delivered by Hand

NO. 8868 P. 23

PATENT
Agency Docket No.: 018547034800
Client Reference No.: 3079

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Box: Issue Fee
Washington, D.C. 20231

On December 10, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David H. Mack et al

Application No.: 09/020,743

Filed: February 9, 1998

For: COMPUTER-AIDED
VISUALIZATION OF EXPRESSION
COMPARISON

Examiner: J. Siew

Art Unit: 1656

STATEMENT OF JOSIE DAI IN
SUPPORT OF PETITION TO CORRECT
INVENTORSHIP UNDER 37 C.F.R.
§ 1.48 (a)

Box Issue Fee
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Josie Dai, state:

1. My address is 4009 Higuera Rd., San Jose, California. My country of residency is the United States and my country of nationality is China.
2. The inventorship error of failing to include myself, Josie Dai, as an inventor of the above captioned patent occurred without any deceptive intention on my part.

Date: 12/6/2001

Josie Dai
Josie Dai

FEB. 19. 2002 2:42PM TTC PALO ALTO

NO. 8868 P. 24

L. Mack
Application No.: 0,743
Page 2

PATENT

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
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Tel: 650-326-2400
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PA 3188392 v1

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Client Reference No.: 3079

Assistant Commissioner for Patents
Box: Issue Fee
Washington, D.C. 20231

On December 10, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David H. Mack et al

Application No.: 09/020,743

Filed: February 9, 1998

For: COMPUTER-AIDED
VISUALIZATION OF EXPRESSION
COMPARISON

Examiner: J. Siew

Art Unit: 1656

STATEMENT OF JIM SNYDER IN
SUPPORT OF PETITION TO CORRECT
INVENTORSHIP UNDER 37 C.F.R.
§ 1.48 (a)

Box Issue Fee
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Jim Snyder, state:

1. My address is 321 Fulton Street, Palo Alto, California. My country of residency and nationality is the United States.

2. The inventorship error of failing to include myself, Jim Snyder, as an inventor of the above captioned patent occurred without any deceptive intention on my part.

Date: 12/6/01


Jim Snyder

FEB. 19. 2002 2:42PM TTC PALO ALTO

NO. 8868 P. 26 ENT

David R. Mack et al

Application No.: 09/1,743

Page 2

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
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San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
JOL:pfh

PA 3188393 v1

FEB. 19. 2002 2:43PM

TTC PALO ALTO

NO. 8868 P. 27

Attorney Docket No.: 01-7-034800US
 Client Ref. No.: 3079

PTO/BB/01A (10-01)

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention **COMPUTER-AIDED VISUALIZATION OF EXPRESSION
 COMPARISON**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 09/020,743 filed on February 9, 1998
☐ as amended on _____ (if applicable):

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT international filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor 1	<u>David H. Mack</u>	Date:	<u>12/7/01</u>
Signature:	<u>[Signature]</u>	Citizen of:	<u>United States</u>
Inventor 2	<u>Kurt Polish</u>	Date:	<u>12/7/01</u>
Signature:	<u>[Signature]</u>	Citizen of:	<u>United States</u>
Inventor 3	<u>David Balaban</u>	Date:	_____
Signature:	_____	Citizen of:	<u>United States</u>
Inventor 4	<u>Elna Khumlin</u>	Date:	_____
Signature:	_____	Citizen of:	<u>United States</u>

☒ Additional inventors are being named on form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 318 and 37 CFR 1.63. The information is used by the PTO to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 182 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patent, Washington, DC 20231. PA 3186400 v1

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TTC PALO ALTO

NO. 8868 P. 28

Attorney Docket No.: 07-034800US
 Client Ref. No.: 3079

PTO/USPTA 15-01)

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
 USING AN APPLICATION DATA SHEET (37 CFR 1.76) -
 ADDITIONAL INVENTOR(S)
 Supplemental Sheet
 (Total of 3 forms are submitted.)**

FULL NAME OF INVENTOR(S)

Inventor 5:	Josie Dai	Date:	
Signature:		Citizen of:	China
Inventor 6:	Jim Snyder	Date:	
Signature:		Citizen of:	United States
Inventor 7:		Date:	
Signature:		Citizen of:	
Inventor 8:		Date:	
Signature:		Citizen of:	

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 15 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20531. Do NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20531. Do PA 8163400 v1

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention **COMPUTER-AIDED VISUALIZATION OF EXPRESSION
COMPARISON**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 09/020,743 filed on February 9, 1998
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor 1 David H. Mack Date: _____

Signature: _____ Citizen of: United States

Inventor 2 Kurt Gish Date: _____

Signature: _____ Citizen of: United States

Inventor 3 David Balaban Date: Dec 7, 2001

Signature: David Balaban Citizen of: United States

Inventor 4 Elina Khurgin Date: _____

Signature: _____ Citizen of: United States

☒ Additional inventors are being named on form(s) attached hereto.

Burden Hour Statement This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Patent, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for PA 3188400 v1

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
 USING AN APPLICATION DATA SHEET (37 CFR 1.76) -
 ADDITIONAL INVENTOR(S)
 Supplemental Sheet
 (Total of 2 forms are submitted.)**

FULL NAME OF INVENTOR(S)	
Inventor 5: <u>Josie Dai</u>	Date: _____
Signature: _____	Citizen of: <u>China</u>
Inventor 6: <u>Jim Snyder</u>	Date: _____
Signature: _____	Citizen of: <u>United States</u>
Inventor 7: _____	Date: _____
Signature: _____	Citizen of: _____
Inventor 8: _____	Date: _____
Signature: _____	Citizen of: _____

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. PA 3188400 v1

Attorney Docket No.: 01854-34800US
Client Ref. No.: 3079

PTO/SB/01A (10-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	COMPUTER-AIDED VISUALIZATION OF EXPRESSION COMPARISON		
As the below named inventor(s), I/we declare that:			
This declaration is directed to:			
<input type="checkbox"/> The attached application, or			
<input checked="" type="checkbox"/> Application No. 09/020,743 filed on February 9, 1998			
<input type="checkbox"/> as amended on _____ (if applicable);			
I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;			
I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;			
I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and			
All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.			
FULL NAME OF INVENTOR(S)			
Inventor 1	<u>David H. Mack</u>	Date:	_____
Signature:	_____	Citizen of:	<u>United States</u>
Inventor 2	<u>Kurt Gish</u>	Date:	_____
Signature:	_____	Citizen of:	<u>United States</u>
Inventor 3	<u>David Balaban</u>	Date:	_____
Signature:	_____	Citizen of:	<u>United States</u>
Inventor 4	<u>Elina Khurgin</u>	Date:	<u>12/7/01</u>
Signature:	<u>Elina Khurgin</u>	Citizen of:	<u>United States</u>
<input checked="" type="checkbox"/> Additional inventors are being named on form(s) attached hereto.			

Burden Hour Statement: This collection of information is required by 35 U.S.C. 116 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. PA 3188400 v1

Attorney Docket No.: 0185-34800US
Client Ref. No.: 3079

PTO/SE01A (10-01)

Approved for use through 10/31/2002, OMB 0851-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76) –
ADDITIONAL INVENTOR(S)
Supplemental Sheet
(Total of 2 forms are submitted.)**

FULL NAME OF INVENTOR(S)	
Inventor 5: Josie Dai	Date:
Signature:	Citizen of: China
Inventor 6: Jim Snyder	Date:
Signature:	Citizen of: United States
Inventor 7:	Date:
Signature:	Citizen of:
Inventor 8:	Date:
Signature:	Citizen of:

Burden Hour Statement: This collection of information is required by 35 U.S.C. 116 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. PA 3188400 v1

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention

COMPUTER-AIDED VISUALIZATION OF EXPRESSION
COMPARISON

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 09/020,743 filed on February 9, 1998
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor 1 David H. Mack

Date: _____

Signature: _____

Citizen of: United States

Inventor 2 Kurt Gish

Date: _____

Signature: _____

Citizen of: United States

Inventor 3 David Balaban

Date: _____

Signature: _____

Citizen of: United States

Inventor 4 Elina Khurgin

Date: _____

Signature: _____

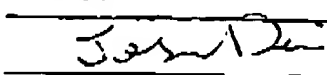
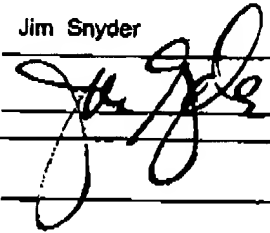
Citizen of: United States

☒ Additional inventors are being named on form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 116 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. PA 3188400 v1

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76) –
ADDITIONAL INVENTOR(S)
Supplemental Sheet
(Total of 2 forms are submitted.)**

FULL NAME OF INVENTOR(S)	
Inventor 5: Josie Dai	Date: 12/6/2001
Signature: 	Citizen of: China
Inventor 6: Jim Snyder	Date: 12/6/01
Signature: 	Citizen of: United States
Inventor 7:	Date:
Signature:	Citizen of:
Inventor 8:	Date:
Signature:	Citizen of:

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. PA 3188400 v1

Approved through 10/31/2002. OMB 0851-0031
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
 Attorney Docket No. 018547-034800

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Affymetrix, Inc.Application No./Patent No.: 09/020,743Filed/Issue Date: February 8, 1998Entitled: Computer-Aided Visualization of Expression ComparisonAffymetrix, Inc.a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

In the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 9418, Frame 0370, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

12/6/2001

Date

Joe Liebeschutz

Signature

Joe Liebeschutz

Typed or printed name

Attorney of Record

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PA 3188409 v1

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0175 NO. 8868 OP. 3680045
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
PAD

DECEMBER 15, 1998

PTAS.
TOWNSEND AND TOWNSEND AND CREW LLP
DAN H. LANG
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO, CA 94111-3834



100802297A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/17/1998

REEL/FRAME: 9418/0370
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
MACK, DAVID H.

DOC DATE: 06/24/1998

ASSIGNEE:
AFFYMETRIX, INC.
3380 CENTRAL EXPRESSWAY
SANTA CLARA, CALIFORNIA 95051

SERIAL NUMBER: 09020743
PATENT NUMBER:

FILING DATE: 02/09/1998
ISSUE DATE:

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

RECEIVED
FEB 22 1998
FEB 22 1998
CHECKED IN

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FORM PTO-1595
(Rev. 6-93)

Attorney C

NO. 8868 P. 37
No. 01 48003 Client No. 3079COVER SHEET
ILYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Asst. Com

100802297

attached original documents or copy thereof.

1. Name of conveying party(ies):

David H. Mack

2. Name and address of receiving party(ies):

Name: Affymetrix, Inc.

Internal Address: 3380 Central Expressway

Street Address: 3380 Central Expressway

City: Santa Clara State: California ZIP: 95051

Additional name(s) of conveying party(ies) attached?

☐ Yes☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other:

Execution Date: June 24, 1998

Additional name(s) & address(es) attached?

☐ Yes☒ No

4. Application number(s) or patent number(s).

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 09/020,743

B. Patent No.(s)

Additional numbers attached?

☐ Yes☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Dan H. Lang
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(650) 326-2400

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):..... \$ 40.00

☐ Enclosed☒ Charge Fees to Deposit Account☒ Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account

8. Deposit account number: 20-1430

1/24/1998 TTON11 00000040 201430 09020743

1 11:581 40.00 LH

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Dan H. Lang

Name of Person Signing

Signature

July 8, 1998

Date

Atty. Reg. No. 38,531

Total number of pages including cover sheet, attachments, and document: 3

10. Change Correspondence Address to that of Part 5?

☒ Yes☐ No

OMB No. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to:

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Asst. Commissioner for Patents
Box Assignments
Washington, D.C. 20231

Attorney Docket No. 018547-034800US / Client No. 3079

ASSIGNMENT OF PATENT APPLICATION

SOLE

WHEREAS, David H. Mack of 2076 Monterey Avenue, Menlo Park, California 94025, hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: **COMPUTER-AIDED VISUALIZATION OF
EXPRESSION COMPARISON**

Date(s) of execution of Declaration: June 24, 1998

Filing date: February 9, 1998 Application No.: 09/020,743; and

WHEREAS, Affymetrix, Inc. a California corporation, located at 3380 Central Expressway, Santa Clara, California 95051, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;


For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and

instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has signed his/her name on the date indicated.

Date: 6/24/98



David H. Mack

I hereby certify that this correspondence is being delivered by Hand.
Delivery to:

Assistant Commissioner for Patents
Box: Issue Fee
Washington, D.C. 20231

PATENT
Attorney Docket No.: 018547034800
Client Reference No.: 3079

On December 10, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David H. Mack et al

Application No.: 09/020,743

Filed: February 9, 1998

For: COMPUTER-AIDED
VISUALIZATION OF EXPRESSION
COMPARISON

Examiner: J. Siew

Art Unit: 1656

STATEMENT UNDER 37 CFR §
1.48(a)(4)

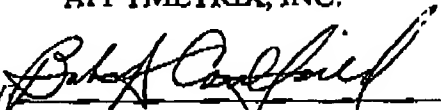
Box Issue Fee
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, the undersigned, on behalf of AFFYMETRIX, INC., the assignee of interest in U.S. Patent Application Serial No. 09/020,743 hereby agree to the change of the inventorship in that application by adding Kurt Gish, David Balaban, Elina Khurgin, Josie Dai and Jim Snyder as inventors. Attached herewith is a Certificate Under 37 C.F.R. 3.73(b), which establishes the ownership rights.

AFFYMETRIX, INC.

Date: 6/12/2001

By: 

Title: Executive Vice President

FEB. 19. 2002 2:47PM

TTC PALO ALTO

NO. 8868 P. 41

PATENT

David H. Mack et al
Application No.: 09/020,743
Page 2

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
JOL:pfh
PA 3186378 v1

T-459 P. 003/003 F-684

Dec-07-2001 07:24pm From-

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